

01-R-0043

Entered - 11/15/00 - sb
CL00L0698 - DIANNE C. MITCHELL

CLAIM OF: **MARGARET O. PANTHER**
2167 FAIRWAY CIRCLE
ATLANTA, GEORGIA 30319

For damages alleged to have been sustained as a result of vehicular damage due to uneven sewer manholes after repaving of the roadway on October 6, 2000 at 4362 Wieuca Road near Loridans Road.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **MARGARET O. PANTHER** the sum of **\$1,086.38** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to uneven sewer manholes after repaving of the roadway on October 6, 2000 at 4362 Wieuca Road near Loridans Road as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COM. P.S. + L.A.

DATE 1/16/01

CHM. C. T. Martin

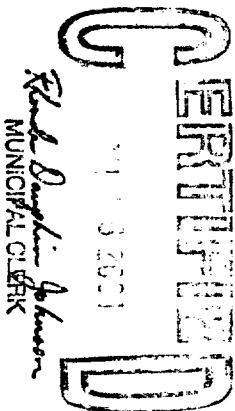
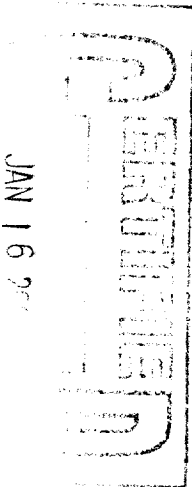
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APPROVED

JAN 24 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW

ADOPTED BY
JAN 16 2001
COUNCIL



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0043

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Margaret O. Panther** in the sum of **\$1,086.38** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicular damage to uneven sewer manholes after repaving of the roadway on October 6, 2000 at 4362 Wicua Road near Loridans Road** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Phonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JAN 16, 2001

JAN 25, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0698

Date: December 12, 2000

Claimant /Victim MARGARET O. PANTHER

BY: (Atty)(Ins. Co.) _____

Address: 2167 Fairway Circle, Atlanta, Georgia 30319

Subrogation: _____ Claim for Property damage \$ 1,086.38 Bodily Injury \$ _____

Date of Notice: 11/15/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 10/06/00 Place: 4362 Wieuca Road near Loridans Road

Department Public Works Division: Street Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's vehicle was damaged in the above amount when she drove through an area of Wieuca Road that had been recently repaved, but the manhole covers had not yet been raised to the level of the roadway. The City has been on notice of this condition for several months, but has failed to make the roadway safe.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,086.38 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 12-13-00

Committee Action: _____ Council Action _____

RCS# 2562
1/16/01
4:17 PM

Atlanta City Council

Regular Session

MULTIPLE

Claims 1-8 Favorable

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

01-R-0003
01-R-0010
01-R-0011
01-R-0040
01-R-0041
01-R-0042
01-R-0043
01-R-0061

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE